

REMARKS

Claims 9, 15, 19 and 28-35 are pending in this application and claims 1-8, 10-14, 16-18, and 20-27 are canceled herein. The specification is being amended to make a specific reference to the priority application and is also being amended to correct a typographical error. Applicant thanks the Examiner for the teleconference on May 26, 2004 in which the particular claims that stand rejected under 35 U.S.C. §103(a) was clarified. Applicant respectfully requests reconsideration of claims 9, 15, 19 and 28-35.

Corrected Drawings

FIGs. 1-19 of the drawings have been objected to by the Draftsperson under 37 CFR 1.84(l) as having poor line quality. New corrected drawings with better line quality are submitted herewith.

Claim Rejections

Claims 1-35 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-27 of U.S. Patent No. 6,360,244. Claims 1-35 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Karger (US 5,210,874) in view of Ozaki ("Software Fault Tolerance in Architectures with Hierarchical Protection Levels," IEEE, 1988).

Obviousness-Type Double Patenting Rejections

Claims 1-35 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-27 of U.S. Patent No. 6,360,244. Applicant submits a terminal disclaimer herewith to overcome the rejection.

Rejections under 35 U.S.C. §103(a)

Claims 1-35 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Karger in view of Ozaki. Applicant thanks the Examiner for the teleconference on

May 26, 2004 in which the particular claims that stand rejected under 35 U.S.C. §103(a) was clarified. Specifically, the Examiner stated that the listing of claims 1-35 as rejected under 35 U.S.C. §103(a) was an oversight and only those claims actually addressed in paper #3 beginning at the bottom of page 3 and continuing to the Conclusion on page 11 actually stand rejected. Accordingly, Applicant understands that only claims 1-8, 10-14, 16-18, and 20-27 presently stand rejected under 35 U.S.C. §103(a). In view of the cancellation of claims 1-8, 10-14, 16-18, and 20-27 herein, these rejections are now moot.

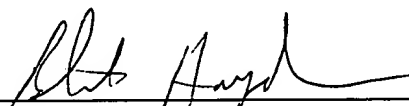
CONCLUSION

All pending claims are now allowable and Applicant respectfully requests a Notice of Allowance from the Examiner. Should the Examiner have questions, the Applicant's undersigned attorney may be reached at the number provided.

Respectfully submitted,
Rajeev Bharadhwaj

July 14, 2004

By:


Robert Hayden, Reg. No. 42,645
Carr & Ferrell LLP
2200 Geng Road
Palo Alto, CA 94303
Phone (650) 812-3465
Fax (650) 812-3444